

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION FOUR**

GRUMA CORPORATION d/b/a MISSION FOODS

and

**Cases 04-CA-199438
04-CA-202091 and
04-CA-209548**

**UNITED FOOD AND COMMERCIAL WORKERS
LOCAL 1776**

**GENERAL COUNSEL’S SUPPLEMENTAL OPPOSITION TO
RESPONDENT’S EMERGENCY MOTION TO RESCHEDULE HEARING**

In addition to the reasons stated in General Counsel’s Opposition to Respondent’s Emergency Motion to Reschedule Hearing, which General Counsel filed on December 5, 2017, the General Counsel further opposes Respondent’s Emergency Motion because the Region has recommended that the General Counsel request authorization from the Board to seek injunctive relief pursuant to Section 10(j) of the Act in the present case. The Region has determined that the unfair labor practices Respondent is alleged to have committed—including discharging two Union supporters, bargaining in bad faith with the Union (which employees only selected as their bargaining representative in May 2016), unlawfully withdrawing recognition from the Union, and granting employees a wage increase and other benefits for the purpose of discouraging their union activity—are unlikely to be remedied through the Board’s regular processes and that an injunction is therefore necessary to prevent lasting damage to the Section 7 rights of Respondent’s employees. Delaying the hearing date in this matter will increase the risk of remedial failure.

Respectfully submitted,

/s/ Mark Kaltenbach
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Dated: December 6, 2017